

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 07 2016

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON

UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

2:16-CR-00032-WFN

vs.

CASSANDRA LYNN LARSON,

Preliminary Order of Forfeiture

Defendant.

IT IS HEREBY ORDERED THAT:

As the result of the guilty plea to the Indictment for which the Government sought forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), Defendant, CASSANDRA LYNN LARSON, shall forfeit to the United States any and all firearms and ammunition facilitating or involved in the comission of the offense, Felon in Possession of a Firearm and Ammunition.

The Court has determined based upon the Defendant's plea and plea agreement that the assets listed herein are subject to forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), and that the Government has established the requisite nexus between such assets and such offense:

FIREARMS/AMMUNITION

1) a Bryco Arms, model 25, .25 Auto caliber pistol bearing serial number 294224;

1 2) 34 rounds of R-P, .25 caliber auto ammunition; and
2 3) 2 rounds CCI NR .25 caliber auto ammunition

3 Upon the entry of this Order, the United States Attorney General (or a
4 designee) is authorized to seize the above-listed assets subject to forfeiture,
5 whether held by the defendant or by a third party, and to conduct any discovery
6 proper in identifying, locating or disposing of the property subject to forfeiture, in
7 accordance with 21 U.S.C. § 853, as incorporated by 18 U.S.C. § 924(d) and 28
8 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(3).

9 Upon entry of this Order, the United States is authorized to commence any
10 applicable proceeding to comply with statutes governing third party rights,
11 including giving notice of this Order.

12 Pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 924(d) and
13 28 U.S.C. § 2461(c), the United States will post notice of this order on the official
14 government internet site (www.forfeiture.gov) for at least 30 consecutive days.
15 The United States may also, to the extent practicable, provide direct written notice
16 to any person known to have alleged an interest in the property that is the subject
17 of the Preliminary Order of Forfeiture, as a substitute for posted internet notice as
18 to those persons so notified.

19 Any person, other than the above-named Defendant, asserting a legal interest
20 in the above-listed property may, within thirty (30) days of the final posting of
21 notice, or receipt of notice, whichever is earlier, petition the court for a hearing
22 without a jury to adjudicate the validity of his alleged interest in the above-listed
23 property, and for an amendment of the order of forfeiture, pursuant to Fed. R.
24 Crim. P. 32.2(6) and 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 924(d)
25 and 28 U.S.C. § 2461(c).

26 Any petition filed by a third party asserting an interest in the above-listed
27 property shall be signed by the petitioner under penalty of perjury and shall set

1 forth the nature and extent of the petitioner's right, title, or interest in said
2 property, the time and circumstances of the petitioner's acquisition of the right,
3 title or interest in said property, and any additional facts supporting the
4 petitioner's claim and the relief sought.

5 After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c) and
6 before a hearing on the petition, discovery may be conducted in accordance with
7 the Federal Rules of Civil Procedure upon a showing that such discovery is
8 necessary or desirable to resolve factual issues.
9

10 The United States shall have clear title to the above-listed property following
11 the Court's disposition of all third-party interests, or, if none, following the
12 expiration of the period provided 21 U.S.C. § 853(n)(2), as incorporated by 18
13 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), for the filing of third party petitions.
14

15 Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order
16 of Forfeiture is final as to the Defendant at the time of sentencing, and is made
part of the sentence and included in the judgment.
17

18 The Court shall retain jurisdiction to enforce this Order, and to amend it as
necessary, pursuant to Fed. R. Crim. P. 32.2(e).
19

20 DATED this 27th day of June, 2016.
21

22 
23 Wm. Fremming Nielsen
24 Senior United States District Judge
25
26
27
28